

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Elden MacFarlane

Plaintiff,

v.

**WRIT OF HABEAS
CORPUS AD
TESTIFICANDUM**

2:10-cv-02877 (MKB) (ARL)

DIN No. 08A1700

SUFFOLK COUNTY CORRECTIONAL FACILITY, et al.

Defendants.

TO:

SUPERINTENDENT OF GREEN HAVEN CORRECTIONAL FACILITY

594 NY-216

Stormville NY 12582

SUPERINTENDENT or WARDEN, DOWNSTATE CORRECTIONAL FACILITY

121 Red Schoolhouse Rd Fishkill, New York 12524

US MARSHALL, EASTERN DISTRICT OF NEW YORK

225 Cadman Plaza East, Suite G-80

Brooklyn, New York 11201-1818

ACTING COMMISSIONER CYNTHIA BRANN

New York City Department of Correction

Or the Deputy Commissioner for Legal Matters / General Counsel 75-20 Astoria Boulevard

East Elmhurst, New York 11370

The Court COMMANDS and ORDERS that:

The SUPERINTENDENT of GREEN HAVEN CORRECTIONAL FACILITY

deliver the body of ^{Elden MacFarlane}, Inmate DIN 08A1700 detained at

GREEN HAVEN CORRECTIONAL FACILITY, under safe and secure conduct to DOWNSTATE CORRECTIONAL FACILITY on or before _____ ;

The SUPERINTENDENT OR WARDEN OF DOWNSTATE CORRECTIONAL FACILITY house and feed the body of Elden MacFarlane, Inmate DIN 08A1700 under safe and secure conduct upon his transfer to this facility from _____ .

IT IS FURTHER ORDERED that SUPERINTENDENT OR WARDEN OF DOWNSTATE CORRECTIONAL FACILITY turn over the body of Elden MacFarlane, Inmate DIN 08A1700 to officials from the NEW YORK CITY DEPARTMENT OF CORRECTIONS for the purpose of having him transported to the United States Courthouse for the Eastern District of New York at 225 Cadman Plaza East, Brooklyn, New York 11201 and housed in a facility operated by the NEW YORK CITY DEPARTMENT OF CORRECTION;

IT IS FURTHER ORDERED that the ACTING COMMISSIONER of the NEW YORK CITY DEPARTMENT OF CORRECTION, deliver the body of Elden MacFarlane, Inmate DIN 08A1700 under safe and secure conduct, from DOWNSTATE CORRECTIONAL FACILITY, or other suitable facility within the operation and control of the NEW YORK CITY DEPARTMENT OF CORRECTION, before Magistrate Judge _____ in Courtroom 6F N, United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York on at 09:00 there to appear in the above-captioned case for jury selection and for trial before the Honorable Judge Margo K. Brodie in Courtroom 6F N at 9:00 AM on each succeeding day as may be required to complete the trial in this action;

IT IS FURTHER ORDERED that the ACTING COMMISSIONER of the NEW YORK CITY DEPARTMENT OF CORRECTION provide such suitable quarters at RIKERS ISLAND FACILITIES or other suitable facility within its operation and control and provide for

safekeeping, care, and subsistence of ^{Elden MacFarlane}, Inmate DIN 08A1700 as necessary until the conclusion of the trial in this matter;

IT IS FURTHER ORDERED, that CITY DEPARTMENT OF CORRECTION
transport ^{Elden MacFarlane}, Inmate DIN 08A1700, from RIKERS ISLAND
FACILITITES, or another suitable facility within the operation and control of the NEW YORK
CITY DEPARTMENT OF CORRECTION, to the United States Courthouse for the Eastern
District New York, New York, by 09:00 on 11/21/2022, as well as each succeeding day
until the conclusion of the trial, and return ^{Elden MacFarlane}, Inmate DIN 08A1700, to a correctional
facility at the RIKERS ISLAND FACILITITES or other suitable facility within the operation
and control of the NEW YORK CITY DEPARTMENT OF CORRECTION at the conclusion of
proceedings each day;

IT IS FURTHER ORDERED that reasonably after the Court's ruling that the trial in this matter is concluded, the ACTING COMMISSIONER OF THE NEW YORK CITY DEPARTMENT OF CORRECTION, in coordination with THE UNITED STATES MARSHAL SERVICE return ^{Elden MacFarlane}, Inmate DIN 08A1700 under safe and secure conduct to DOWNSSTATE CORRECTIONAL FACILITY;

IT IS FURTHER ORDERD THAT THE GREEN HAVEN CORRECTIONAL F/ bring
^{Elden MacFarlane}, Inmate DIN 08A1700 from DOWNSSTATE CORRECTIONAL FACILITY to
GREEN HAVEN CORRECTIONAL FACILITY under safe and secure conduct;

IT IS FURTHER ORDERED that the persons and entities described above bear their respective costs of implementing this writ; and

IT IS FUTHER ORDERED that UNITED STATES MARSHAL provide all necessary security for the custody of ^{Elden MacFarlane}, Inmate DIN 08A1700 while in temporary custody of

the Court.

Witness, Honorable **Margo K. Brodie**, United States District Judge, for the Eastern District of New York, attested by my hand this 9th day of November, 2022.

SO ORDERED:

/s/ MKB

Margo K. Brodie
United States District Judge

THE FOREGOING IS HEREBY ISSUED

11/09/2022

Dated: Brooklyn, New York

Brenna Mahoney

Clerk of Court

By: s/Francine Piper

Deputy Clerk

